IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

Crl.Rev.Pet.No. 2079 of 2007()

CRA.654/2005 of III ADDL.SESSIONS COURT, ERNAKULAM
CC.578/2003 of JFCM, KOTHAMANGALAM

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REVN. PETITIONER: APPELLANT / ACCUSED

DOMINICOSE,S/O.VAREED, AGED 51 YEARS,
MANIANCHERI VEETTIL, KOOVAPPADY KARA,
KOOVAPPADY VILLAGE.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

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1. M.P.MATHEW, S/O.PYLEE
   MANIATTU HOUSE
   NELLIKUZHI KARA, KOTHAMANGALAM.

2. STATE OF KERALA REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA.
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.2079 of 2007

Dated this the 29th day of May, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a compensation of Rs.60,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for four months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted six months' time from today onwards to remit the compensation amount. He shall appear before the Judicial First Class Magistrate Court, Kothamangalam on 30.11.2007 to receive the sentence. Non bailable warrant pending, if any, shall be kept in abeyance till 30.11.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl